

**MINUTES OF THE COMMITTEE
ON
TORT REFORM**

Tuesday, March 21, 2006

9:30 a.m.

Room 519, House Office Building

The House Standing Committee on Tort Reform was called to order by the Chair, Representative Elsenheimer.

Members present: Representatives Elsenheimer, Kahn, Gaffney, Huizenga, Adamini, Bieda.

Members absent/excused: Representatives Hune, McConico.

Chairman Elsenheimer announced that the Wall Street Journal article referenced by Governor John Engler in the committee meeting of March 14, 2006 is located in the member's folders.

Chairman Elsenheimer announced that also located in the member's folders is a letter from the Chair to Linda Watters, Insurance Commissioner, requesting information related to the Office of Financial and Insurance Services' (OFIS) non-compliance with MCL 500.2477d which requires OFIS to issue a report every two years to describe the conditions of the malpractice insurance market and make recommendations.

Jane Bailey, Executive Director of the Michigan Trial Lawyers Association introduced Robert H. Darling and Norman D. Tucker to the committee.

Mr. Darling, Senior Shareholder in the Sommers Schwartz law firm, spoke to the committee to give an overview of product liability; drug immunity; and joint and several liability.

Mr. Tucker, Adjunct Professor, University of Detroit, and member of the Sommers Schwartz law firm, spoke to the committee about affidavit of merit; medical specialization rules and board certifications; statute of limitations; and notice of intent to file a claim.

Both Mr. Darling and Mr. Tucker spoke in favor of changes to existing tort law in the areas each speaker discussed.

Representative Bieda moved to approve the minutes of the meeting held on March 14, 2006. Representative Kahn supported the motion. There being no objection the minutes were approved by unanimous consent.

Representative Bieda moved to excuse the absence of Representatives Hune and McConico. Representative Huizenga supported the motion. There being no objection, the motion prevailed by unanimous consent.

There being no further business before the committee, the Chair adjourned the meeting at 10:40 a.m.

Representative Kevin Elsenheimer, Chair _____
Doug Simon, Committee Clerk
House Tort Reform Committee, (517) 373-0015